

**TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE**



FISCAL NOTE

SB 3026 - HB 3222

February 8, 2010

SUMMARY OF BILL: Extends from 10 to 45 days the deadline by which a court must set a hearing for a criminal defendant involuntarily committed for a capital offense to a developmental facility. Extends from 21 to 90 days of receipt of the facility's notice the deadline by which the court must hold a hearing on whether the individual continues to meet the commitment criteria under which the person is committed. Extends from 15 to 60 days of the court's receipt of the facility's notice the deadline for the facility to release the individual from involuntary commitment if the court has not set a hearing.

ESTIMATED FISCAL IMPACT:

Increase State Expenditures - \$51,800

Assumptions:

- According to the Division of Intellectual Disabilities (DIDS), the individuals impacted by the provisions of the bill are housed at the Harold Jordan Center which is 100 percent state funded. The budgeted cost per person per day for this facility is \$750.
- DIDS estimates two individuals per year are sent to the facility in connection with a capital offense.
- It is assumed that the court would set a hearing date for one of these individuals on the 90th day, resulting in an additional 69 days (90 – 21) in the facility. This would result in an increase in state expenditures of \$51,750 (\$750 x 69 days).
- Extending the deadline for the facility to release an individual from involuntary commitment if the court has not set a hearing will not result in an individual spending additional time in the facility. This extension will not have a significant impact on state expenditures.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, reading "James W. White". The signature is written in a cursive style with a large, stylized "J" and "W".

James W. White, Executive Director

/kml